

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Sheila Williams	<u>Debtor</u>	CHAPTER 13
HOME OPPORTUNITY LLC	<u>Moving Party</u>	
vs.		NO. 16-10671 ELF
Sheila Williams	<u>Debtor</u>	
William C. Miller Esq.	<u>Trustee</u>	11 U.S.C. Section 362

STIPULATION

AND NOW, it is hereby stipulated and agreed by and between the undersigned as follows:

1. The post-petition arrearage on the mortgage held by the Moving Party on the Debtor's residence is **\$4,171.78**, which breaks down as follows;

Post-Petition Payments: March 2016 through January 2017 at \$283.93
Fees & Costs Relating to Motion: \$1,031.00
Total Post-Petition Arrears \$4,171.78

2. The Debtor shall cure said arrearages in the following manner;

a). Within seven (21) days of the filing of this Stipulation, Debtor shall file an Amended Chapter 13 Plan to include the post-petition arrears of \$4,171.78.

b). Movant shall file an Amended or Supplemental Proof of Claim to include the post-petition arrears of \$4,171.78 along with the pre-petition arrears;

c) The new 410A Form for a Proof of Claim shall not be required for this Amended or Supplemental Proof of Claim;

d). Maintenance of current monthly mortgage payments to the Moving Party thereafter.

3. Beginning February 01, 2017, Debtor shall pay the present regular monthly payment of **\$287.44** on the mortgage (or as adjusted pursuant to the terms of the mortgage) on or before the first (1st) day of each month (with late charges being assessed after the 15th of the month)

4. Should debtor provide sufficient proof of payments (front & back copies of cancelled checks and/or money orders) made, but not credited, Movant shall adjust the account accordingly.

5. In the event the payments under Section 2 above are not tendered pursuant to the terms of this stipulation, the Moving Party shall notify Debtor and Debtor's attorney of the default in writing and the Debtors may cure said default within FIFTEEN (15) days of the date of said notice. If Debtor should fail to cure the default within fifteen (15) days, the Moving Party may file a Certification of Default with the Court and the Court shall enter an Order granting the Moving Party relief from the automatic stay.

6. The stay provided by Bankruptcy Rule 4001(a)(3) is waived.

7. If the case is converted to Chapter 7, the Moving Party shall file a Certification of Default with the court and the court shall enter an order granting the Moving party relief from the automatic stay.

8. If the instant bankruptcy is terminated by either dismissal or discharge, this agreement shall be null and void, and is not binding upon the parties.

9. The provisions of this stipulation do not constitute a waiver by the Moving Party of its right to seek reimbursement of any amounts not included in this stipulation, including fees and costs, due under the terms of the mortgage and applicable law.

10. The parties agree that a facsimile signature shall be considered an original signature.

***without prejudice to any trustee rights or remedies**

~~Date: January 12, 2017~~

Date: March 16, 2017

By: /s/ Denise Carlon, Esquire

Denise Carlon, Esquire
Attorneys for Movant
KML Law Group, P.C.
Main Number: (215) 627-1322

Date: 3/22/2017

- *William C. Miller*
William C. Miller, Esq.
Chapter 13 Trustee

Date: 2-2-17

Alan D. Budman
Alan D. Budman Esq.
Attorney for Debtor

ORDER

NO OBJECTION

Approved by the Court this 24th day of Mach, 2017. However, the court retains discretion regarding entry of any further order.

Eric L. Frank
ERIC L. FRANK
CHIEF U.S. BANKRUPTCY JUDGE